

**BOARD OF EXAMINATION AND REGISTRATION OF ARCHITECTS
MINUTES OF MEETING OF THE BOARD**

DATE: May 31, 2006

**PLACE: Department of Administration
One Capitol Hill, Conference Room C
Providence, RI 02908**

MEMBERS PRESENT: Dana M. Newbrook, Joseph A. Cirillo, James R. Carlson, Barbara Feibelman and Wilbur E. Yoder

OTHERS PRESENT: Adam J. Sholes, Special Assistant Attorney General

**Peter N. Dennehy, Deputy Chief Legal Counsel, Dept. of Admin.
Dawne Broadfield, Board Executive**

CALLED TO ORDER: Chair Newbrook called the meeting to order at 3:35 pm. to commence Board business. Attorneys Dennehy and Sholes left at 6:33 p.m.

MINUTES OF THE MEETING OF THE BOARD

(1) Ms. Feibelman moved to approve the open meeting minutes of April 19, 2006 as printed. Mr. Yoder seconded. Motion approved by all members present.

(2) Ms. Feibelman moved to approve and seal the executive session meeting minutes of the April 19, 2006 as printed. Mr. Yoder seconded. Motion approved by all members present.

EXECUTIVE SESSION

(1) Ms. Feibelman moved to convene into executive session at 4:20 p.m. pursuant to RI General Laws, § 42-46-5 (a)(2) for sessions or work sessions pertaining to collective bargaining or litigation and § 42-46-5 (a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Mr. Yoder seconded. Motion approved by all members present.

(2) Ms. Feibelman moved to adjourn from executive session and to reconvene to an open meeting at 6:07 p.m. pursuant to R.I.G.L. §42-46-4. Mr. Yoder seconded. Motion approved by all members present.

(3) Ms. Feibelman moved to seal the executive session and record the votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5. Mr. Yoder seconded. Motion approved by all members present.

(4) Ms. Feibelman moved to record the votes taken in executive session in accordance with Rhode Island General Law §42-46-4 as follows. Mr. Yoder seconded. Motion approved by all members

present to close Frances S. Innis vs. Donald S. Richardson, #1151; to extend the architectural registration examination eligibility periods for Matthew McPhillips and Debbie DeBartolo Wilkinson.

(5) Ms. Feibelman moved pursuant to RI General Law §42-46-4 that the Board defer disclosure of all votes in executive session until such time as such disclosure would not jeopardize any strategy, negotiation, or investigation undertaken concerning RI General Law §42-46-5(a). Mr. Yoder seconded. Motion carried.

OLD BUSINESS

(1) Discussion on Amendments to the “Rules of the Board”

Chair Newbrook indicated that the Board is currently reviewing changes to be made to the “Rules of the Board” and asked if there were any more changes to be added. Secretary Carlson felt that there were enough changes made for now.

05/31/06, Page 1 of 6

Attorney Dennehy suggested that a “Table of Contents” be added and will work with Mrs. Broadfield to make organizational changes.

Attorney Dennehy told the Board that the next steps it will take will be to make the changes discussed, add the “Table of Contents”, formalize the document, adopt the document, and hold a public hearing. The time frame will be to discuss the changes in August and hold the public hearing in October. Secretary Carlson suggested that

everyone read these rules as carefully as possible.

(2) “Tech Note” – Meeting to be scheduled with Daniel L. Beardsley, Jr., Executive Director, at the League of Cities and Towns, Daniel R. DeDentro, State Building Code Commissioner and the Board.

No information has been received. Vice-Chair Cirillo will follow up.

(3) 2005 AIA/RI Membership Directory – Waiting for a response from Mr. William Young

The Board sent a letter to Mr. Young regarding his advertisement in the 2005 AIA/RI Membership Directory by regular and certified mail. To date, no response was received.

Secretary Carlson moved that the Board drop this matter. Vice-Chair Cirillo seconded. Motion approved by all members present.

(4) Discussion on the implementation of the Governor’s Fiscal Fitness Program of On-line Renewals

Mrs. Broadfield surveyed the Member Board Executives (MBE) on on-line renewals, compiled the survey and submitted the results to the Board for their review.

Secretary Carlson stated that he reviewed the results of the survey

and noticed that most states use a service to process the on-line renewals and asked if that was Rhode Island's intent. Mrs. Broadfield stated that RI.gov will be the vendor who will provide the service. Secretary Carlson questioned if the service will take all cards including American Express, since that was one of the complaints. It seemed to Secretary Carlson from reading the survey that it is either good or bad depending on the programming.

Secretary Carlson volunteered to highlight the pertinent issues and have it prepared for next meeting. The Board will then have something to send to the Division of Information Technology (DoIT).

(5) Discussion on "disaster" – what would happen to the Board's records, paper and computer, if the building burns?

Robert J. Warren, Executive Director of Rhode Island Emergency Management Agency (EMA) appeared before the Board at 3:30 p.m.

Chair Newbrook told Mr. Warren that the Board's concern is that the Board's records are in a position where they may be comprised if something happened to the building or some disaster occurred. The Board inquired from Mr. Warren what it could do to protect those records. Chair Newbrook offered Mr. Warren to speak to the Board and tell them about its options.

Mr. Warren stated that EMA has asked all state agencies to give them

a "Continuity of Operations Plan" or "Continuity of Government Plan". Mr. Warren did not know if the Board fell under the Department of Administration (DOA) and whether or not DOA submitted the plan for this Board. Mr. Warren indicated that the Governor and his staff are putting together a plan where they can actually move government to other locations. In the state code, the government does not have to meet in its location. The government has a Memorandum of Understanding (MOU) in place at the Community College of Rhode Island (CCRI) to move the state office functions to CCRI. The Division of Information Technology (DoIT) at DOA will set up extra laptop computers and wire them into the main server. Mrs. Broadfield informed Mr. Warren that this Board's records are on the main server at DOA. Mr. Warren stated that the DoIT server is duplicated. Mr. Warren suggested that the Board to makes sure that its administrative staff is able to get on the server from somewhere other

05/31/06, Page 2 of 6

than her normal workstation. Mr. Warren suggested that the Board contact Mr. James Berard of DoIT, who runs the emergency program, to inquire what the Board needs to get in order to get on-line in an emergency. The Board has put a request into DoIT asking those questions and is currently waiting for a response.

Mr. Warren stated as far as the paper records he is not sure of what provisions are in place to maintain those records. The Board has one copy of each file and the files are all in this building (DOA). Secretary

Carlson asked if the state has a backup of all of their written records and how does the State decide what they want to back up for written records. The written records contain a history of an individual's dealings with the Boards. Mrs. Broadfield told the Board that some of the older records' information is not on the computer and stated that she does not have access to those files to enter the information manually.

Chair Newbrook told Mr. Warren that this came about because of what happened last year with Hurricane Katrina. A series of architects from all over the country went to that city to help them reestablish. The problem was that there was no way of gathering the information on those architects to determine if they are registered to practice architecture. This information is needed to protect the health, safety and welfare of the public which is what the Board serves under. Mr. Warren stated that the state along with the other fifty states belong to the Emergency Management Assistance Compact (EMAC), Chapter 30-15. Any licensure is reciprocal. Any request for state to state virtual aide must be approved through EMA to be covered under EMAC. That happens in a state declare emergency. Mr. Warren stated that the associations need to have a relationship with EMA.

Mr. Warren suggested that the Board write its own plan of operations on how the Board would continue to function should DOA be unavailable or the Board is unavailable to meet as a group. Mr.

Warren told the Board that he would send them two templates that EMA sent out to the Government Agencies that should help the Board. The two templates were adopted by EMA out of Homeland Security. If the Board had further questions, EMA could answer those questions at a later date.

Vice-Chair Cirillo recommended that before the paper files are brought upstairs to the second floor from the lowest level of the parking garage that the files get sanitized.

Mr. Warren left at 4:20 p.m.

Secretary Carlson volunteered to try to put together a draft plan once he receives the templates from Attorney Dennehy. Attorney Dennehy will ask Mr. Warren for a contact the name of the person at the Department of Health who is responsible for putting together this plan. Secretary Carlson also asked Attorney Dennehy if Mr. Warren could send the Board a plan from a small agency that the Board could work with.

Ms. Feibelman asked Mrs. Broadfield to go through the Boards in-state architects, of who were originally registered in Rhode Island, extract information from those records that are critical and put that information in the template format. That information would contain the year of initial registration, how and what the exam was taken and any disciplinary action taken.

(6) “The New Bookstore”

Vice-Chair Cirillo previously asked that this item be placed on the agenda in order to try to get one central place to buy all state documents. Vice-Chair Cirillo felt that this item could be removed from the agenda at this time.

BLUE BOOKS (RECIPROCITY)

(1) Secretary Carlson moved to approve the following Blue Books as submitted with an expiration date of December 31, 2007. Vice-Chair Cirillo seconded. Motion approved by all members present.

(1) BREWER, Gary L (6) JACKSON, Jon C.

(2) FENTRESS, Curtis W. (7) LAMAR, Kurt E.

(3) FINKEL, Brian W. (8) NIKIEL, Kevin L.

(4) GIPSTEIN, Richard F. (9) MAIELLARO, Dominick

(5) HUNT, Walter A. (10) MOFFSON, Phillip D.

05/31/06, Page 3 of 6

(2) Secretary Carlson move to approve the following Blue Book with an expiration date of December 31, 2007 as submitted without having a current registration elsewhere under the Board’s reciprocal format based on having the National Council of Architectural Registration Boards (NCARB) certification. Vice-Chair Cirillo seconded. Motion approved by all members present.

(1) HENDERSON, Randell E.

BLUE BOOK (REINSTATEMENT)

(1) Secretary Carlson moved to approve the reinstatement of the Blue Book as presented with an expiration date of December 31, 2007. Mr. Yoder seconded. Motion approved by all members present.

(1) WALSH, Emmett, #2463

GREEN BOOKS (APPROVAL TO TAKE ARCHITECTURAL REGISTRATION EXAM)

(1) Secretary Carlson moved to approve the following Greens Book as submitted. Mr. Yoder seconded. Motion approved by all members present.

(1) PARENTI, Ketti (2) PATHANA, Thongkhoun

CERTIFICATES OF AUTHORIZATION APPLICATIONS (See Attached List)

(A) Secretary Carlson moved to approve the applications for Certificates of Authorization for the Sole Proprietorships for David N. Bilow Architect, Gregory A. Comito, Bernard J. Goba AIA Architect, and Gary Gregory, RA as submitted. Vice-Chair Cirillo seconded. Motion approved by all members present.

(B) Secretary Carlson moved to approve the application for Certificate of Authorization for the Limited Liability Company for Glen S. Fontecchio, Architect, LLC as submitted. Mr. Yoder seconded.

Motion approved by all members present.

(C) Secretary Carlson moved to approve the applications for Certificates of Authorization for the Corporations for L.F. Giampietro, Architect, P.E. and Tomaino, Tomaino Iamello & Associates, PA as submitted. Mr. Yoder seconded. Motion approved by all members present.

(D) Secretary Carlson moved to approve the Name Change for the application for Certificate of Authorization for the Corporation from Jeter, Cook & Jepson – Architects, Inc. to JCJ Architecture, Inc. as submitted. Mr. Yoder seconded. Motion approved by all members present.

(E) Secretary Carlson moved to approve the Business Structure Change for the application for Certificate of Authorization for the Corporations of Opus Architects & Engineers, P.C. as submitted. Mr. Yoder seconded. Motion approved by all members present.

(F) Secretary Carlson moved to refer the application for Certificate of Authorization for the Corporation for Lessard Commercial, Inc. to the Board's Legal Counsel for recommendation of approval or denial of the application based on company structure. Mr. Yoder seconded. Motion approved by all members present.

(G) Secretary Carlson moved to send a letter to Studio Pawlowski

Architecture in response to his request for clarification of the fee waiver on the Certificate of Authorization application. The law states that the “fee shall be waived if the firm consists of only one person who is the registered architect.” The Board’s Certificate of Authorization application states “Number of employees, including self”; therefore the fee can never be waived since there will always be an employee, yourself. The Board’s response to Mr. Pawlowski states as follows: “Thank you for your recent letter of April 21, 2006. The changes you indicate in your letter will bring you into compliance with the Rhode Island General Laws. The Board appreciates your careful analysis of the Law, Rules and Application form and the inconsistencies you have found in our application. The Board has historically only provided a no-fee application when the firm consists of “only one” person per Rhode Island General Laws Chapter 5-1-15.1(d). It appears that your intent is to have an additional person as an employee in Studio Pawlowski. The Board, however, has agreed to waive your fee for this initial period only for your assistance in helping us correct the inconsistencies in our application. We encourage you to bring your practice into compliance with Rhode Island General Law prior to our June 28, 2006 meeting.” Mr. Yoder seconded. Motion approved by all members present.

05/31/06, Page 4 of 6

NEW BUSINESS

(1) 2006 Draft Resolutions of the National Council of Architectural

Registration Boards (NCARB) Annual Meeting

Chair Newbrook stated that the NCARB Annual Meeting will be held next month and asked the Board if there was anything they would like their designees to take with them to that meeting.

The first issue of placing a Member Board Executive (MBE) on the NCARB Board of Directors was discussed at this Board's last meeting. The Board is in favor.

The second issue was the taking of the Architectural Registration Examination (ARE) concurrent with completing the Intern Development Program (IDP). The Board is in favor of NCARB's recommendation which requires a person to acquire 270 units before that person could take the ARE.

(2) Election of Officers

Secretary Carlson moved that the officers for the Board be as follows: Dana M. Newbrook as Chair, Wilbur E. Yoder as Vice-Chair; and himself as Secretary. Vice-Chair Cirillo seconded. Motion approved by all members present.

(3) Regulatory Agenda

The Board has nothing to report at this time.

(4) National Council of Architectural Registrations Boards (NCARB) Committee Appointments

Secretary Carlson indicated that he received an appointment invitation to serve on the Professional Development (PDP) Monographs Committee and Mrs. Broadfield received an appointment invitation to serve on the Members Boards Executive (MBE) Committee.

(5) MacKenzie Architects, P.C.

Secretary Carlson told the Board that he received a letter from MacKenzie Architects. Mrs. Broadfield has been providing them assistance in completing their certificate of authorization application. Secretary Carlson indicated that part of the letter states as follows: “By the way, I would like to commend your employee, Dawne Broadfield, with whom I’ve been speaking quite regularly regarding our application. She has been thoroughly professional, calm and organized and all of our dealings. Her attitude always reassured me and made a complex process more “user- friendly.” As a public employee, she is to be commended for her friendly and helpful attitude toward her customers, as well as her command of all of the state’s bureaucratic procedures.”

Vice-Chair Cirillo moved that a letter, signed by the Chair, be sent to

Mrs. Lois Marshall, Office Supervisor, requesting that the letter from Janet Stambolian, Director of Business Development, MacKenzie Architects, P.C. be placed in Mrs. Broadfield's personnel file. Secretary Carlson seconded. Motion approved by all members present.

ADJOURNMENT

Chair Newbrook informed the Board that the next Board meeting is scheduled for June 28, 2006 at 3:30 p.m. at One Capitol Hill, Conference Room C, Providence, RI 02908. Secretary Carlson moved to adjourn the meeting at 7:14 p.m. Mr. Yoder seconded. Motion carried.

Respectfully submitted,

**James R. Carlson, NCARB, AIA
Secretary**

JRC/dmb 05/31/06, Page 5 of 6

C. O. A. APPLICATIONS

Board Meeting of 31 May 2006

SOLES

DAVID N. BILOW ARCHITECT - 0 - APPROVED – 05/31/06

GREGORY A. COMITO \$100. APPROVED – 05/31/06

BERNARD J. GOBA AIA ARCHITECT \$100. APPROVED – 05/31/06

GARY GREGORY, RA - 0 - APPROVED – 05/31/06

PARTNERSHIPS

LIMITED LIABILITY PARTNERSHIPS

LIMITED LIABILITY COMPANIES

GLEN S. FONTECCHIO, ARCHITECT, LLC - 0 - APPROVED – 05/31/06

CORPORATIONS

JCJ ARCHITECTURE, INC. \$50. APPROVED – 05/31/06

**(A-14,338 – Name Change from Jeter, Cook &
Jepson – Architects, Inc.)**

L. F. GIAMPIETRO, ARCHITECT, P.C. \$100. APPROVED – 05/31/06

**05/31/06 - REFERRED TO LEGAL COUNSEL FOR
RECOMMENDATION OF APPROVAL OR DENIAL**

**LESSARD COMMERCIAL, INC. \$100. BASED ON COMPANY
STRUCTURE**

OPUS ARCHITECTS & ENGINEERS, P.C. - 0 – APPROVED – 05/31/06

A-13,364 – Change in Business Structure

**Dennis Neu is no longer a shareholder,
Director or officer.**

**TOMAINO, TOMAINO IAMELLO & ASSOC. PA \$100. APPROVED –
05/31/06**

FOR DISCUSSION

**STUDIO PAWLOWSKI Asking for Clarification on the fee “waiver”
Name Change**

Previous Name: Pawlowski Associates, Inc. Previously denied – did

not meet 2/3rds – 1/3rd and had

**the term “Associates” in title name with only one professional
in firm.**

**05/31/06 – Will be submitting new application as indicated with a
new business structure – Bd encouraged Mr. Pawlowski to bring
company into compliance before June 2006 meeting.**

05/31/06

Page 6 of 6